

# **JACKSON COUNTY INDIANA LOCAL COURT RULES**

## **RULES SUPPLEMENTING INDIANA RULES OF TRIAL PROCEDURE**

Effective January 1, 2008  
*As last amended April 1, 2015*

### **PREAMBLE**

Pursuant to Rule 81(A) of the Indiana Rules of Trial Procedure, the Courts of Jackson County hereby adopt the following local rules, effective January 1, 2008.

These rules are intended to be supplemental to the Indiana Rules of Trial Procedure and other statewide rule sets and are not intended to be inconsistent with, nor duplicious of any statewide rule. Where any conflict may exist, the statewide rule controls.

Pursuant to Rule 81(H) of the Indiana Rules of Trial Procedure, if the interests of justice so require, these local rules may be waived, suspended, or modified in an individual case by the Court upon its own motion or the motion of counsel for one of the parties.

Pursuant to Rule 2.2 of the Indiana Rules of Criminal Procedure, the Courts of Jackson County hereby adopt the following local rules pertaining to the assignment of criminal cases.

Pursuant to Rule 15 of the Indiana Administrative Rules, the Courts of Jackson County hereby adopt the following local rules pertaining to court reporters.

These rules supersede and replace any existing local court rules in Jackson County, Indiana, effective January 1, 2008.

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## **RULES OF TRIAL PROCEDURE**

### **TITLE II – COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS AND ORDERS**

#### **LR36-TR3.1-1: Leave to Withdraw Appearance**

**(a) Motion to Withdraw.** All withdrawals of an appearance must be made in the form of a motion filed with the Court. Permission to withdraw is at the discretion of the Court.

**(b) Form of Motion.** Motions for leave to withdraw appearance must indicate the client's address in the Certificate of Service and Proposed Order.

**(c) Client Notification.** An attorney must give his client 10 days written notice of his intention to withdraw unless:

- (1) Another attorney has filed an appearance for the same party;
- (2) The withdrawing attorney indicates in the motion that he or she has been terminated by the client; or,
- (3) The appearance of the attorney is deemed withdrawn upon conclusion of an action or matter.

Failure to conform to this rule may result in the denial of the motion to withdraw as counsel. The Court, in its discretion, may decide to grant the motion notwithstanding an attorney's failure to comply with this rule.

**(d) Rules of Professional Conduct.** All withdrawals of appearance shall comply fully with the provisions of the Rules of Professional Conduct.

#### **LR36-TR5-1: General Provisions Regarding Filing of Pleadings, Motions, and Other Papers**

**(a) Number of Copies.** All orders tendered with pleadings, motions and other papers filed with the Court must include the following number of copies of the proposed order:

- (1) An original (1) and one copy (1) that will be retained by the Court;
- (2) One (1) copy for the moving Party;
- (3) One (1) copy for any opposing party not represented by counsel; and
- (4) One (1) copy for each of the attorneys or firms representing opposing parties.

**(b) Franked and Addressed Envelopes.** If an order is tendered with a pleading, motion or other paper, then a franked and addressed envelope must be tendered to the Court for each party, attorney or firm who should receive a copy of the order and does not participate in the Court's Box System, pursuant to LR36-TR5-4.

**(c) Appearance and Signature Required for Filing.** No pleading, motion, or other paper specified by Ind. Trial Rule 5 will be accepted for filing by the Jackson County Clerk unless such pleading, motion, or other paper has been signed in accordance with Ind. Trial Rule 11 by an attorney who has filed an appearance, in accordance with Ind. Trial Rule 3.1 on behalf of the filing party, or by a party who has filed a pro se appearance.

**(d) Supporting Briefs and Memoranda.** If a party desires to file a brief or memoranda in support of a motion, such brief or memoranda must be attached to the motion and simultaneously filed. A supporting brief or memoranda must be attached to all motions filed under Rules 12 and 56 of the Indiana Rules of Trial Procedure.

### **LR36-TR5-2: Special Provisions Regarding Filing of Pleadings, Motions, and Other Papers**

**(a) Special Judge.** When a special judge is selected, a copy of all pending pleadings, motions, and other papers must be mailed or delivered to the office of the special judge with a certificate of forwarding attached and made a part of the original papers. All proposed orders must be forwarded to the special judge as well.

**(b) Filing by Mail.** When pleadings, motions, or other papers are sent by mail for filing with the Court, the filing attorney or party must include a self-addressed, stamped envelope for the return of documents to the attorney or party. If there are any deficiencies in the pleading, motion, or paper that precludes filing, the Clerk is not responsible for such deficiencies. The Clerk and the Court are under no obligation to inform the filing attorney or party of any deficiencies or to correct any deficiencies.

**(c) Filing by Facsimile Transmission.** Pleadings, motions, or other papers may not be filed by facsimile transmission.

**(d) Case Numbers.** Except for the initial pleading (Complaint, etc.), no pleadings shall be accepted by the Clerk or the Court unless it has a Case Number placed in at least **twelve (12) point type** prominently on the face of the pleading.

### **LR36-TR5-3: Time for Ruling**

Any motion, pleading or paper which requires a ruling will be held for seven (7) working days from the file date. If no response is filed by an opposing party within the said seven (7) days, the Court will act upon the assumption that no response will be filed. This rule does not apply in situations which require immediate action or where an Ind. Trial Rule directs otherwise.

### **LR36-TR5-4: Alternative Service – Box System**

**(a) Courthouse Boxes.** Any Jackson County attorney or Jackson County law firm, (and others who wish to apply) without charge, may maintain an assigned courthouse box (“Box System”) in the office of each Court for receipt of notices, pleadings, process, orders or other communications from the Jackson County Courts, the Clerk, other attorneys or law firms which use this service. If a Jackson County attorney or law firm declines to consent to receiving service by the Box System from other attorneys, Clerk or Courts, then they may not use the Box System to serve other attorneys.

**(b) How Assigned.** Each Court shall assign a box in the Box System only after those attorneys or firms wishing to participate have filed in the office of each Court a “Consent to Alternative Service” ([Form A](#)). The Courts of Jackson County shall be responsible for assigning boxes and maintaining a file of consents and of revocations of consents to the Box System.

**(c) Effect of Consent.** Deposits made in any assigned box of notices, pleadings, process, orders, or other communications made shall be deemed to constitute and be accepted as service equivalent to service by first class mail under Trial Rule 6(E).

**(d) Agreement.** If one member of the firm declines to accept service by the alternative service set out in this rule, then no other members of that firm may accept service utilizing the Courthouse box.

(e) **Revocation of Consent.** Consent to Alternate Service under this rule shall remain valid until a written revocation has been filed with the Jackson Circuit Court.

### **TITLE III – PLEADINGS AND MOTIONS**

#### **LR36-TR10-1: General Rules for the Format of Pleadings, Motions, and Other Papers.**

(a) **Paper Size, Line Spacing and Margins.** All pleadings, motions, and other papers filed with the Court which are to be retained by the Court must:

- (1) Use white, opaque paper (except those filed on green paper to conform to Administrative Rule 9);
- (2) Use 8 ½ by 11-inch paper;
- (3) Be spaced 1.5, if more than one page when single-spaced. Quotations may be single-spaced if they are indented. Headings and footnotes may be single-spaced;
- (4) Have one-inch margins on all four sides. Page numbers may be placed in the margins, but no other text may appear there;
- (5) Be printed only on the front side of the sheet; and
- (6) Include page numbers that are centered in the bottom margin of each page.

(b) **File Stamp Space.** All pleadings shall allow sufficient blank space to the right of the case title to allow the clerk to file stamp the pleading without stamping over the caption or case number. The space shall be a minimum of three inches width and two and one-half inch height.

(c) **Type Styles.** All pleadings, motions, and other papers filed with the Court must be legibly printed in non-cursive or be typed using:

- (1) A plain style font;
- (2) 10 point font;
- (3) Black-colored font, and,
- (4) Contain italics or underlines for case names or where otherwise appropriate according to the Uniform System of Citation. Italics and underlines may also be used for emphasis.

#### **LR36-TR10-2: Special Rules for the Format of Pleadings with Special Judge Presiding**

**Special Judge.** If the case is before a special judge, all pleadings, motions, and other papers shall contain the following to the right of the case title:

***“BEFORE SPECIAL JUDGE \_\_\_\_\_”***

#### **LR36-TR10-3: Prepared Entries**

Entries (Orders) prepared by parties or their counsel are not to be placed on the same document as is the underlying Motion or Petition unless said underlying Motion or Petition is one page in length and the Entry can be placed on that same page. If the Entry can not be placed on the one page, then said Entry is to be placed on a separate sheet of paper and captioned as an Order.



## **TITLE V – DEPOSITIONS AND DISCOVERY**

### **LR36-TR26-1: Notice to Court of Serving Discovery in Civil Tort Cases**

In all CT cases, parties are required to file a “Notice of Discovery Requests” with the Court upon sending another party or entity Requests For Production, Interrogatories, or Requests For Admissions. The Notice of Discovery Requests shall state to whom the discovery request was sent and the date it was sent. It shall also specify the number of Interrogatories, number of Requests For Admission, or number of Requests For Production. The Notice of Discovery Requests shall be no more than one page in length.

### **LR36-TR26-2: Disclosure of Expert Testimony in CT Cases**

**(a) Disclosure of Identity.** Each party shall disclose to other parties the identity of any person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Indiana Rules of Evidence.

**(b) Written Report.** Except as otherwise stipulated or directed by the Court, this disclosure shall, with respect to a witness who is retained or specially employed to provide expert testimony in the case or whose duties as an employee of the party regularly involve giving expert testimony, be accompanied by a written report prepared and signed by the witness. The report shall contain a complete statement of all opinions to be expressed and the basis and reasons therefore, the data or other information considered by the witness in forming the opinions; any exhibits to be used as a summary of or support for the opinions; the qualifications of the witness, including a list of all publications authored by the witness within the preceding ten years; the compensation to be paid for the study and testimony; and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

### **LR36-TR33-1: Interrogatory Limitations**

A party may not submit more than forty (40) Interrogatories, including subparts, without obtaining permission from the Court. Each subpart shall be considered an interrogatory. Nothing contained in this rule shall be construed to affect the discovery rules in small claims cases.

## **TITLE VI - TRIALS**

### **LR36-TR40-1: Assigning Cases for Trial**

A case shall be assigned for trial and placed upon the trial calendar by the Court upon written request of a party and notice to all other parties. Except in Small Claims, such request must: **(1)** Contain the type of trial or hearing requested (e.g. jury trial, bench trial); **(2)** Contain a good-faith estimate of the time needed for the trial or hearing; **(3)** State when it is expected that all parties will be prepared for trial.

**LR36-TR40-2: Mediation Requirements in Civil Cases**

All Civil cases which will require more than two (2) hours of trial time are automatically set for mediation unless written waiver is granted by the Court. In the event that the parties request a trial setting of two hours or less and the hearing has not concluded within the time allotted, then the Court shall recess the trial and refer the matter to mediation. In its discretion, the Court may hear the balance of the evidence without resort to mediation.

**LR36-TR40-3: Settlement and Removing the Case from the Docket**

Counsel for the parties shall be responsible for notifying the appropriate Court immediately upon settlement of a case so that the docket can be cleared and a new case set therein.

**LR36-TR41(E)-1: Suggestion of Bankruptcy**

**(a) Filing.** A Party shall file a suggestion of bankruptcy whenever a party believes that the bankruptcy or automatic stay provisions of the United States Bankruptcy Code has an effect on a case in the Courts of Jackson County. The suggestion of bankruptcy shall include the name of the court in which the bankruptcy was filed and the bankruptcy case number.

**(b) Service.** Each party to the case and the special judge, if any, shall be served in accordance with Ind. Trial Rule 5.

**(c) Trustee.** The identity and address of the bankruptcy trustee shall be disclosed, with instructions on the disposition of any monies of the debtor held by the Clerk, if known at the time of filing.

**(d) Period of Stay.** Upon the filing of a suggestion of bankruptcy, all action against the debtor shall be stayed for one hundred and twenty (120) days unless otherwise ordered by the Court.

**(e) Duty of Plaintiff.** Within one hundred and twenty (120) days of the filing of the suggestion of bankruptcy, the Plaintiff shall file proof that the lawsuit in question is not subject to the bankruptcy or that the Plaintiff has sought relief from the automatic stay. Failure to do so shall result in a dismissal of the suit without prejudice.

**LR36-TR53.5-1: General Requirements for Motions for a Continuance****(a) Scheduling Conflicts.**

See LR36-TR53.5- 2(b)

**(b) Time.** In order for a motion for a continuance to be considered by the Court, it must be filed:

- (1)** At least seven (7) days before the court trial or hearing to which the motion pertains, or
- (2)** At least 10 days before the jury trial to which the motion pertains; or
- (3)** As controlled by a pretrial conference order.

**(c) Information in Motion.** Motions for a continuance shall contain the following information:

- (1) The date and time of the hearing or trial for which a continuance is being sought;
- (2) A good-faith estimate of the time needed for such hearing or trial when rescheduled;
- (3) The date and time opposing counsel was notified that the party would be seeking a continuance; and
- (4) Whether opposing counsel agrees with or objects to the request.

**(d) Procedure for Agreed Continuances**

- (1) If the Parties agree to the continuance:
  - i. The parties shall initiate a conference call with the court or designated scheduler (Bailiff of each Court) for the purpose of reaching an agreed date for the hearing/trial.
  - ii. Once the parties agree to a date it shall not be continued for any reason.  
(Emergency continuances will be granted only in exceptional circumstances.)
- (2) If the Parties do not agree on the continuance, the Motion shall so state and the matter will be forwarded to the Court for consideration.
- (3) If granted by the Court, the party requesting the continuance shall initiate the conference call described in subsection (i) above. Subsection (ii) above shall apply once the agreed date is confirmed.
- (4) The foregoing provisions apply regardless of whether the parties are represented by counsel.
- (5) If a party is unavailable or uncooperative with arranging the conference call, the Court may proceed to set a date, and the parties will nevertheless be bound by the date reached during the conference call.

**LR36-TR53.5-2: Exceptions to the General Requirements for Motions for a Continuance**

**(a) Domestic Matters.** For all domestic matters involving final hearings, modifications, or contested contempt citations in Dissolution or Paternity cases, a motion for continuance upon agreement by all the parties must be signed by the attorneys for both parties with a verification that each attorney has consulted with his or her client concerning the requested continuance. Failure to have both attorneys sign the motion may result in the denial of the motion by the Court. The Court in its discretion may grant the motion notwithstanding the lack of a party's signature.

**(b) Conflicting Trials in Other Courts.** When counsel for a party requests a continuance because he or she has a conflicting trial scheduled in another court, the motion for a continuance must be filed within twenty-one (21) days after the case in this Court is set for trial or hearing. The motion must also state the name and case number of the other case, as well as the date that the other court set the conflicting case for trial. Failure to timely file may result in a denial of the motion for a continuance. The Court, in its discretion, may choose to grant the motion notwithstanding the lack of timely filing under exceptional circumstances.

### **LR36-TR69-1: Proceedings Supplemental**

A Petition for Proceedings Supplemental may only be filed once in every twelve months. Provided however, if the judgment creditor has evidence of a substantial change in financial circumstances of the judgment debtor, the creditor may file a verified petition setting forth the change, with a request for hearing. The Court will review the petition and enter an appropriate order.

*(As adopted effective April 1, 2015)*

## **TITLE IX – TRIAL COURTS AND CLERKS**

### **LR36-TR72-1: Court Hours**

**(a) Hours of Operation.** The Jackson County Courts shall be open to the public to conduct business Monday through Friday, legal holidays excluded, from 8:00 A.M. until 4:30 P.M.

**(b) Exception to Hours of Operation.** When staff meetings are necessary or when unforeseen circumstances occur, the judge of the Court in question may direct court closings for a specified time or for the day. The Court shall make a reasonable effort to notify litigants scheduled for court that day.

## **TITLE X – VENUE, CHANGE OF VENUE, CHANGE OF JUDGE**

### **LR36-TR76-1: Assigning a Court for Cases Transferred to this County**

When a case is transferred to this county under a change of venue from the County, the Clerk of the Court shall docket the case in the same manner as a newly filed case in the County.

### **LR36-TR77-1: Costs for Obtaining Copies of any Pleading, Order, or Recording**

**(a) Pleadings and Orders.** On the application of any person, the Jackson County Clerk shall make copies of any non-confidential pleading or order in the Clerk's custody at the expense of the person so requesting the same.

**(b) Recordings.** On the application of any person, the court reporter of a Court shall make copies of any non-confidential recording in the court reporter's custody at the expense of the person so requesting the same. The person requesting a recording must make the request in writing.

**(c) Payment in Advance.** All costs shall be paid in advance or at the time of receipt of the copied pleading or order. All costs shall be paid in advance for copied recordings.

### **LR36-TR77-2: Removal of Original Pleadings, Papers, and Records**

No person shall withdraw any original pleading, paper, or record from the custody of the Clerk of the Court or other officer of the Court except upon the order of the judge of the Court.

### **LR36-TR79 (H)-1 Special Judge Appointment in Civil Cases**

In the event a special judge appointment is necessary under Trial Rule 79 (H), the Clerk or the Deputy Clerk of the court where the case is pending shall first assign the case to one of the other Jackson County Judges on a rotating basis, and if neither judge is able to serve due to reasons set forth in TR 79 (H), then the Clerk shall appoint on a rotating basis a special judge from the following list of presiding judges in the respective courts:

Jennings Circuit Court  
Jennings Superior Court  
Brown Circuit  
Bartholomew Circuit Court  
Bartholomew Superior Court #1  
Bartholomew Superior Court #2

If the judge selected to serve is disqualified or is excused from service, then the sitting judge in cases other than recusal or disqualification, and the clerk of the court in cases where there is a recusal or disqualification by the sitting judge, shall appoint the next judge on the list. If no judge on the list is eligible to serve as special judge or the particular circumstances in the case so warrant, the then sitting judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a special judge pursuant to TR79(H)(3).

*(As amended effective April 1, 2015)*

### **LR36-TR79-2: Forwarding of Materials to Special Judge**

After a special judge has accepted jurisdiction, a copy of the Chronological Case Summary shall be mailed or delivered to the office of that special judge by the Court.

### **LR36-TR00-TR-1: Pro Se Litigant Responsibilities**

The Court cannot treat pro se litigants differently than it treats persons represented by an attorney. The Court and staff cannot assist litigants in a way that would put the other side at a disadvantage. The Court cannot talk to litigants about the case without the other party being present. In many cases, the Court cannot act upon a letter from litigants.

## TITLE XI- FAMILY LAW RULES

### **LR36-TR00-FL-1: Family Court Project Rules**

#### **(a) Definitions:**

**(1) Family Court.** “Family Court” is the court or courts before which cases involving a family or household are linked together for purposes of case coordination. The individual cases maintain their separate integrity and separate docket number, but may be given a common family court designation. The individual cases may all be transferred to one judge, or may remain in the separate courts in which they were originally filed.

**(2) Family Court Proceeding.** A “Family Court Proceeding” is comprised of the individual cases of the family or household which have been assigned to Family Court.

#### **(b) Rules:**

##### **Rule 1: Exercise Of Jurisdiction**

The Family Court may exercise jurisdiction over any case involving the family at the same time it exercises jurisdiction over a juvenile case (Child In Need of Services, Delinquency, Status, and Paternity) involving the family.

##### **Rule 2: Concurrent Hearings.**

The Family Court may, in the court’s discretion, set hearings on related cases to be heard concurrently, take evidence on the related cases at these hearings, and rule on the admissibility of evidence for each cause separately as needed to adequately preserve the record for appeal. This rule applies only when the cases are pending before the same judicial officer.

##### **Rule 3: Designation of Family Court and Change of Judge for Cause**

Once notice is sent to the parties that a case has been selected for Family Court, no motion for change of venue from the judge may be granted except to the extent permitted by Indiana Trial Rule 76.

Within ten (10) days after notice is sent that a case has been selected for Family Court, a party may object for cause to the Family Court designation.

A motion for change of venue from the judge in any matters arising in the Family Court proceeding or any future cases joined in the Family Court proceeding after the initial selection of cases, shall be granted only for cause.

If a special judge is appointed, all current and future cases in the Family Court proceeding may be assigned to the special judge.

##### **Rule 4: Judicial Notice and Access to Records**

**(1) Notice of Case Assignment.** Within a reasonable time after a case is assigned to Family Court, the court shall provide to all parties in the Family Court proceeding a list of all cases that have been assigned to that Family Court proceeding.

**(2) Judicial Notice.** Any court having jurisdiction over a case assigned to Family Court may take judicial notice of any relevant orders or Chronological Case Summary (CCS) entry issued by any Indiana Circuit, Superior, County, or Probate Court.

If a court takes judicial notice of:

a court order, the court shall provide a copy of that court order; or

a CCS or CCS entry(s), the court shall provide a copy of the entire CCS.

The court shall provide copies of the order or CCS to the parties to the case at or before the time judicial notice is taken.

**(3) Access to Records.** Parties to a Family Court proceeding shall have access to all cases within the Family Court proceeding, with the exception of confidential cases or records to which they are not a party. Parties may seek access to the confidential cases or records in another case within the Family Court proceeding in which they are not a party, by written petition based on relevancy and need. Confidential records shall retain their confidential status and the Family Court shall direct that confidential records not be included in the public record of the proceedings.

**LR36-TR00-FL-2: Witness and Exhibit Exchange**

In all contested Family Law cases except for provisional hearings, counsel for the parties are to exchange names and addresses of all witnesses as well as actual copies of all exhibits at least seven (7) days prior to trial. They are further ordered to file the list of witnesses and exhibits with the Court at least seven (7) days prior to trial. Failure to include a witness or exhibit shall preclude the witness from testifying or the exhibit from being introduced, unless the Court waives such requirement for good cause shown.

**LR36-TR00-FL-3: Marital Balance Sheet**

In all contested Dissolution of Marriage cases, counsel for the parties are to file with the Court a marital balance sheet, including date-of-filing asset values and debt values, as well as a proposed property and debt division. Said documents are to be filed at least seven (7) days prior to trial. Failure to comply shall subject the non-complying party to sanctions.

**LR36-TR00-FL-4: Parenting Class Requirements**

**(a) Parenting Classes.** All parents who are seeking custody or parenting time with their minor children in Dissolution of Marriage and Paternity actions are required to attend a parenting class prior to the final hearing on the case. Said parenting class shall be “Children First” or an equivalent thereto.

**(b) Notification of Clients.** All attorneys who represent parties with minor children in Dissolution of Marriage or Paternity actions shall notify their client of this requirement within seven (7) days of entering their appearance in the case. An attorney who fails to notify their client of this requirement may be sanctioned.

**LR36-TR00-FL-5: Continuances**

See LR36-TR53.5-2(a).

**LR36-TR00-FL-6: General Rules**

**(a) Ex Parte Temporary Restraining Orders.** Pursuant to Ind. Code 31-15-4-7 and Trial Rule 65(E), if a party files the appropriate affidavit and Motion For a Temporary Restraining Order, the Court will issue an order that complies with Ind. Trial Rule 65(E)(2).

**(b) Protective Orders.** Pursuant to Ind. Code 31-15-5-1, either Party may also request a Protective Order.

**(c) Emergency Provisional Hearings.** If a provisional hearing is set and the other party moves for a change of venue from the judge, the Court will consider that the matter is an emergency and the hearing will remain on the docket. The hearing will then be held in a bifurcated fashion and the party seeking the provisional order must show that an emergency exists. If there is no showing that an emergency exists, then the second part of the hearing will not take place. The Court will generally consider the need for support or maintenance as an emergency.

**(d) Court Costs.** If court costs are initially waived, they may be addressed at the Provisional Hearing and/or the Final Hearing at the discretion of the Court..

**(e) Required Language in Every Decree**

**(1) Tax Exemptions.** If a non-custodial parent is granted a child as a dependent for their income taxes, the Decree shall state: “X shall be entitled to claim C as a dependent on his/her state and federal income taxes so long as he/she is current in child support obligations as the end of said tax year. Y shall execute and return to X the necessary tax documents, upon receipt from him/her, on or before January 31<sup>st</sup> after the close of said taxable calendar year.”

**(2) Payment of Child Support through Withholding Orders.** Income Withholding Orders shall contain the following language. “The Court having issued an Order, ordering X, SS #\_\_\_-\_\_-XXXX (place only the last four numbers of Obligor’s Social Security number here) (hereinafter called “Support Obligor”) to pay for the benefit of the parties’ minor child(ren) in the sum of xxx Dollars (\$x.00) per week, and the Court further having determined that said Support Obligor is employed by Y, (address of Employer) (hereinafter called “Income Payor”) and regularly receives income from said Income Payor.

And the Court orders that Income Payor, until further order of this Court, is to withhold the following amount of x Dollars (\$x.00) from Support Obligor’s weekly check and forward same to the Indiana State Central Collection Unit, P.O. Box 6219, Indianapolis, IN, 46206-6219 with **Obligators Social Security #\_\_\_-\_\_-XXXX (place only the last four numbers of Obligor’s Social Security number here) and ISETS #\_\_\_\_\_posted on his check, each week.**

**Said Income Payor may also collect from Support Obligor, for the Income Payor’s benefit and upon the decision of said Income Payor, the sum of Two Dollars (\$2.00) each time the Income Payor forwards money to the Jackson County Clerk.**

The Court further orders that this wage withholding order is binding upon the Income Payor until further notice of the Court; that the Support Obligor may recover One Hundred Dollars (\$100.00) from the Income Payor in a civil action if the Income Payor discharges, refuses employment, or disciplines the Support Obligor because of this Order; that the Income Payor is liable for any amount that the Income Payor fails to forward to the Clerk of the Jackson County Courts; that this order has priority over any claim on the Support Obligor’s income except claims for federal, state and local taxes; that said Income Payor may combine payments hereunder with other payments for all Support Obligors in one payment, provided, however, each portion of said payment is identified for each said Support Obligor; that said Income Payor shall comply on a “first come, first serve” basis for any competing withholding orders.



The Court further orders that said Income Payor shall implement the withholding hereunder no later than the first pay period that accrues after fourteen (14) days hereof; and that said Income Payor shall notify the Court if said Support Obligor terminates his employment within ten (10) days thereof, and shall provide the last known address of Support Obligor and name and address of said Support Obligor's new employer, if known."

**(3) Payment of Child Support through Clerk's Office.** In each case where a party pays child support through the Clerk of the Court, the Decree should state: "X" is ordered to pay \$x.00 per week through the Office of the Jackson County Clerk, Courthouse, Brownstown, IN. 47220, by cash, which payments are to commence on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and be paid on or before each Friday thereafter. X shall pay any yearly fees that are required by the Jackson County Clerk's Office."

**(f) Property Settlement Agreements.** Property Settlement Agreements should not have a line for the Judge to sign. The proposed Decree of Dissolution should contain language which incorporates the Property Settlement Agreement into the Decree. The Courts prefer and encourage the filing of a verified waiver of final hearing signed by both parties which recites the jurisdictional requirements of the Indiana Code.

## **RULES OF CRIMINAL PROCEDURE**

### **LR36-CR00-1: BOND SCHEDULE**

The following schedule is established for bail bonds for the indicated classifications of offenses that occur on or after July 1, 2014. All amounts are subject to review and modification by the Court in individual cases. The review and modification may come before or after the information or indictment is filed.

No bail bond shall be set in any felony matter except as determined by a Judicial Officer at the Initial Hearing. The Court shall consider factors found in IC 35-33-8-4 in setting appropriate bond in all cases.

If no Initial Hearing is conducted within 96 hours of the person's arrest, unless otherwise ordered by the Court, the bail bond in Stalking and Domestic Battery cases, whether a Level 6 Felony or a Misdemeanor, shall be \$1,500.00 cash. In all other cases the following shall be the amounts set for the bail bonds, unless otherwise ordered by the Court:

<b>Charge</b>	<b>Bond Amount</b>
Murder	NO BOND
Level 1 Felonies	\$150,000.00 Cash or Surety
Level 2 Felonies	\$100,000.00 Cash or Surety
Level 3 Felonies	\$50,000.00 Cash or Surety
Level 4 Felonies	\$40,000.00 Cash or Surety (10%)
Level 5 Felonies	\$20,000.00 Cash or Surety (10%)
Level 6 Felonies	\$1,500.00 Cash Only
Class A Misdemeanors	\$700 Cash only
Class B Misdemeanors	\$350 Cash only
Class C Misdemeanors	\$350 Cash only

The following schedule is established for bail bonds for the indicated classifications of offenses that occur on or before July 1, 2014.

Class D Felonies	\$1000.00 Cash
Class C Felonies	\$10,000 Cash
Class B Felonies	\$50,000.00 Cash
Class A Felonies	\$100,000.00 Cash

The Judicial Officer has the option of granting a 10% cash bond for Level 4 and Level 5 Felonies.

*(Amended effective July 1, 2014)*

### **LR36-CR00-2: Reciprocal Pre-Trial Discovery**

**(a) How Made.** In all criminal cases, mandatory reciprocal pre-trial discovery must be furnished by the State within thirty (30) days of the date of the earlier of the omnibus date or the appearance by an attorney on behalf of the defendant and the defendant's pre-trial discovery must be made within 30 days after the State's production.

**(b) State's Mandatory Obligations.** The State must furnish the following to the defendant or the attorney for the defendant as though a Request For Production was filed:

- (1) The names and last known addresses of persons whom the State may call as witnesses, together with their relevant written or recorded statements;
- (2) Any written or recorded statements and the substance of any oral statements made by the accused or by a co-defendant, and a list of any witnesses to the making or acknowledgment of such statements;
- (3) Any reports or statements of experts, made in connection with the particular case, including the results of physical or mental examinations and of scientific tests, experiments or comparisons;
- (4) Any books, papers, documents, photographs or tangible objects which the prosecuting attorney intends to use in the hearing, or trial, or which were obtained from or belong to the accused;
- (5) Any record of prior criminal convictions which may be used for impeachment of the persons whom the State intends to call as witnesses at the hearing or trial;
- (6) The terms of any agreements made with co-defendants or other State's witnesses to secure their testimony;
- (7) Any material or information within the State's possession that tends to negate the guilt of the accused as to the offense charged or would tend to reduce the defendant's punishment.

**(c) Defendant's Mandatory Obligations.** The defendant must furnish to the State the following materials as though a Request For Production was filed:

- (1) The names and last known addresses of the persons whom the defendant intends to call as witnesses along with their relevant written or recorded statements, and any record of prior criminal convictions of such witnesses, if known;
- (2) Any books, papers, documents, photographs, or tangible objects the defendant intends to use as evidence or for impeachment at hearing or trial;
- (3) Medical, scientific, or expert witness evaluations, statements, reports, or testimony, which may be used at hearing or trial.

**(d) Defendant's Obligations upon Request of the State.** Upon request by the State, the defendant must produce the person of the accused, subject to constitutional and statutory limitations, for purposes of:

- (1) Appearing in a line-up;
- (2) Speaking for identification by witnesses to an offense;
- (3) Being fingerprinted;
- (4) Posing for photos not involving reenactment of a scene;
- (5) Tying on an article of clothing;
- (6) Permitting samples of blood, hair, or other materials of his body, which involve no unreasonable intrusion;
- (7) Providing a sample of the defendant's handwriting; and

- (8) Submitting to a reasonable physical or medical inspection of the defendant's body.
- (e) **Reasonable Notice.** Whenever the person of the accused is required for the foregoing purposes, reasonable notice shall be given by the State to the accused and his counsel, who shall have a right to be present.

**LR36-CR00- 3: Plea Agreement Deadlines in Felony Cases.**

(a) **Plea Bargain.** A "Plea Bargain" is defined as an offer by the State to the defendant that sets parameters on the sentence that the Court can impose if accepted by the defendant and approved by the Court.

(b) **Change Bargain.** A "Charge Bargain" is defined as an offer by the State to the defendant that dismisses certain Counts and/or cases, or reduces the charge to a lesser-included offense.

(c) **Offers in Felony cases:**

(1) The State shall notify the defendant in writing at least seven (7) days prior to the pretrial conference of any plea or charge bargain it is offering to the defendant.

(2) Counsel for the defendant shall notify the defendant of each plea offer extended to the defendant and shall be prepared to notify the Court at the final pretrial conference as to whether the defendant shall accept or reject the standing offer.

(3) The Court will not accept a plea agreement after the plea deadline.

**LR36-CR00-4: Presence at Initial Hearing**

In all C Felony or higher cases and all driving felony cases, the defendant is ordered to be present at the initial hearing. In all other D-felony and misdemeanor cases the defendant is required to be present at the initial hearing unless a Waiver is filed, signed by the defendant and his attorney.

**LR36-CR00-5: Detention in Certain Types of Cases**

An individual arrested with or without a warrant for Battery, Sexual Battery, Domestic Battery, Invasion of Privacy or Stalking shall be detained for twenty four (24) hours or until appearance in Court, whichever is earlier. Twenty Four (24) hours following the arrest, the arrestee may post the appropriate bond set for the offence.

**LR36-CR2.1-1: Leave to Withdraw Appearance**

(a) **Motion to Withdraw.** All withdrawals of an appearance must be made in the form of a motion filed with the Court. Permission to withdraw is at the discretion of the Court.

(b) **Form of Motion.** Motions for leave to withdraw appearance must indicate the client's address in the Certificate of Service and Proposed Order.

(c) **Client Notification.** An attorney must give his client ten (10) days written notice of his intention to withdraw unless:

- (1) Another attorney has filed an appearance for the same party;
- (2) When the withdrawing attorney indicates in the motion that he or she has been terminated by the client;
- (3) When the appearance of the attorney is deemed withdrawn upon conclusion of an action or matter.

**(d) Failure to Comply.** Failure to conform to this rule may result in the denial of the motion to withdraw as counsel. The Court, in its discretion, may decide to grant the motion notwithstanding an attorney's failure to comply with this rule.

**(e) Rules of Professional Conduct.** All withdrawals of appearance shall comply fully with the provisions of the Rules of Professional Conduct.

#### **LR36-CR2.2-1 Criminal Case Reassignment**

In any criminal proceeding in the Jackson Circuit or Superior Courts when a change of judge is granted, or it becomes necessary to assign another judge, the case shall be reassigned to a judge from a contiguous county. Each regular sitting judge shall maintain a list of all eligible special judges.

### **SMALL CLAIMS RULES**

#### **LR36-SC2(B)-1: Trial Dates**

The date set in the Notice of Claim is the trial date unless otherwise ordered by the Court. Parties and counsel are to be prepared to try the case on the date set in the Notice of Claim.

#### **LR36-SC11(C)-1: Proceedings Supplemental**

A Petition for Proceedings Supplemental may only be filed once in every twelve months. Provided however, if the judgment creditor has evidence of a substantial change in financial circumstances of the judgment debtor, the creditor may file a verified petition setting forth the change, with a request for hearing. The Court will review the petition and enter an appropriate order.

#### **LR36-SC11(C)-2: Payment Agreements**

Payment agreements may not enforced by contempt proceedings, however, a failure to make payments as provided in a payment agreement is grounds for the institution of a proceeding supplemental, Local Rule LR36-SC11(C)-1 notwithstanding.

#### **LR36-SC11(C)-3: Writs of Attachment**

If service is not confirmed in the record, no writ of attachment will issue for a failure to appear. Under any circumstance, a writ of attachment will not issue more than thirty (30) days after the date of a failure to appear.

#### **LR36-SC11(C)-4: Suggestion of Bankruptcy**

**(a) Filing.** A Party shall file a suggestion of bankruptcy whenever a party believes that the bankruptcy or automatic stay provisions of the United States Bankruptcy Code has an effect on a case in the Courts of Jackson County. The suggestion of bankruptcy shall include the name of the court in which the bankruptcy was filed and the bankruptcy case number.

**(b) Service.** Each party to the case and the special judge, if any, shall be served in accordance with Ind. Trial Rule 5.

**(c) Trustee.** The identity and address of the bankruptcy trustee shall be disclosed, with instructions on the disposition of any monies of the debtor held by the Clerk, if known at the time of filing.

**(d) Period of Stay.** Upon the filing of a suggestion of bankruptcy, all action against the debtor shall be stayed for thirty (30) days unless otherwise ordered by the Court.

**(e) Duty of Plaintiff.** Within thirty (30) days of the filing of the suggestion of bankruptcy, the Claimant shall file proof that the lawsuit in question is not subject to the bankruptcy or that the Claimant has sought relief from the automatic stay. Failure to do so shall result in a dismissal of the suit without prejudice.

## **ADMINISTRATIVE RULES**

### **LR36-AR00-1: Appropriate Attire for Attorneys**

Attorneys are officers of the court. With the privilege of practicing before the bar comes the responsibility to be professional in every aspect of practice. When appearing in court, Attorneys are expected to dress in a manner which shows due respect for the dignity of the State of Indiana

### **LR36-AR00-2: Judges and Presiding Judge**

The three judges of Jackson County shall independently manage and control the court over which he or she presides. Each shall prepare his or her budget and present it to the Jackson County Council. Each shall be responsible for his or her staff and the employment or termination of employment of staff members.

On those matters that affect the courts of Jackson County collectively, decisions shall be made by a majority vote of the three judges. Meetings shall be conducted by the “Presiding Judge” who shall be the judge with the most seniority as a judge in Jackson County.

*(Added effective January 1, 2013)*

### **LR36-AR00-3: Juvenile Referee**

**(a) Employment of Referee.** The Jackson County Court having juvenile jurisdiction may employ a referee to perform limited judicial functions under the authority of that Court and subject to judicial approval.

**(b) Qualifications.** The referee shall be a resident of Jackson County, in good standing as a member of the Indiana bar and possess any other qualifications required by statute or rule of court.

**(c) Appointment.** The Judge of the Court having juvenile jurisdiction shall include the salary of the referee in his or her budget and shall appoint the person to be referee.

**(d) Political Affiliation.** Appointment shall be made without regard to political affiliation.

**(e) Term.** The referee shall serve at the discretion of the Judge of the Court having juvenile jurisdiction.

**(f) Allocation of Time.** The Judge of the Court having juvenile jurisdiction shall allocate the time of the referee.

**(g) Duties.** The referee shall assist the Court of Jackson County having juvenile jurisdiction by performing such functions as authorized by statute, all subject to judicial approval. The Judge of the Court having juvenile jurisdiction shall decide the specific assignments of the referee.

**(h) Decrees and Orders.** All proposed orders and decrees filed by counsel following a hearing before the referee shall include the following language:

“This matter came before Referee\_\_\_\_\_ (name) for hearing....” At the end of the order or decree the following shall appear:

**“RECOMMENDED FOR APPROVAL”**

/s/\_\_\_\_\_  
Referee

“THE COURT NOW ENTERS ITS ORDER OR JUDGMENT ON THE REFEREE’S FINDINGS AND RECOMMENDATIONS”

/s/\_\_\_\_\_  
Judge

*(As amended effective April 1, 2015)*

**LR36-AR00-4: Probation Department**

The Judges of Jackson County shall collectively be responsible for the employment and termination of Probation Department personnel. All employees of the Probation Department serve at the pleasure of the Judges of Jackson County. The Judges of Jackson County, by majority vote, will select the county’s Chief Probation Officer. The Judges of Jackson County delegate authority to the Chief Probation Officer to make final decisions regarding the number and positions of Probation Department personnel. As directed by the Judges of Jackson County, the Chief Probation Officer shall supervise employees of the Probation Department and may delegate certain supervisory responsibilities to the staff. The Chief Probation Officer shall be responsible for the preparation and presentation of the department’s budget.

*(Added effective January 1, 2013)*

### **LR36-AR1 (E)-1: Case Allocation for Jackson County Courts**

- a) **Circuit Court.** All new case filings designated as MR, F1, F2, F3, F4, F5, F6, FA, FB, FC, FD, ES, EU, GU and TR shall be filed in the Circuit Court.
- b) **Superior Court 1.** All new case filings designated as PL, MF, CT, CM, SC, OV and IF shall be filed in Superior Court 1.
- c) **Superior Court 2.** All new case filings designated as JC, JD, JS, JP, JM, DR, RS, JT, PO and AD shall be filed in Superior Court 2.
- d) **Equal Allocation.** All new case filings designated as CC shall be divided equally between the Circuit Court and Superior Court 1.
- e) **Unequal Allocation.** All new case filings designated as MI, MC, PC or MH shall be given the cause number of the Court in which it is filed.
- f) **Transfer of Cases.** Except as provided in section (g), all active cases pending on January 1, 2008 or after of the types designated for filing in Superior Court 2 shall be transferred to Superior Court 2. Inactive cases shall be transferred at the time the case is re-docketed.
- g) **Retention of Cases.** The presiding judge of the Circuit Court or Superior Court 1 may retain any pending or re-docketed case if, in the discretion of that judge, the interests of justice are best served by such retention.

*(As amended effective April 1, 2015)*

### **LR36-AR7-1: Evidence Handling, Retention and Destruction**

In all cases, the Courts of Jackson County shall proceed pursuant to these Rules unless a Court of the County directs a longer retention period after motion by any party or on its own motion:

**(a) Civil Cases, Including Adoption, Paternity, and Juvenile Proceedings.** All models, diagrams, documents, or material admitted in evidence or pertaining to the case placed in the custody of the court reporter as exhibits shall be taken away by the parties offering them in evidence, except as otherwise ordered by the Court, four (4) months after the case is decided unless an appeal is taken. If an appeal is taken, all such exhibits shall be retained by the court reporter for two (2) years from termination of the appeal, retrial, or subsequent appeal and termination, whichever is later. The court reporter shall retain the mechanical or electronic records or tapes, shorthand or stenographic notes as provided in Indiana Administrative Rule 7.

**(b) Retention Periods for Evidence Introduced in Criminal Misdemeanor, Class D and Class C Felonies and Attempts.** Misdemeanor, Class D and C Felonies and Attempts. All models, diagrams, documents, or material admitted in evidence or pertaining to the case placed in the custody of the court reporter as exhibits shall be taken away by the parties offering them in evidence except as otherwise ordered by the Court, three (3) years after the case is dismissed, the defendant is found not guilty, or the defendant is sentenced, unless an appeal is taken. If an appeal is taken, all such exhibits shall be retained by the court reporter for three (3) years from termination of the appeal, retrial, or subsequent appeal and termination, whichever is later, unless an action challenging the conviction or sentence, or post-conviction action, is pending. The court reporter shall retain the mechanical or electronic records or tapes, shorthand or stenographic notes as provided in Indiana Administrative Rule 7.



**(c) Retention Periods for Evidence Introduced in Criminal Class B and A Felonies and Murder Attempts.** All models, diagrams, documents, or material admitted in evidence or pertaining to the case placed in the custody of the court reporter as exhibits shall be taken away by the parties offering them in evidence, except as otherwise ordered by the Court, twenty (20) years after the case is dismissed, the defendant found not guilty, or the defendant is sentenced, unless an appeal is taken. If an appeal is taken, all such exhibits shall be retained by the court reporter for twenty (20) years from termination of the appeal, retrial, or subsequent appeal and termination, whichever is later, unless an action challenging the conviction or sentence, or post-conviction action, is pending.

The court reporter shall retain the mechanical or electronic records or tapes, shorthand or stenographic notes as provided in Indiana Administrative Rule 7.

**(d) Non-documentary and Oversized Exhibits.** Non-documentary and oversized exhibits shall not be sent to the Appellate level Court, but shall remain in the custody of the trial court or Administrative Agency during the appeal. Such exhibits shall be briefly identified in the Transcript where they were admitted into evidence. Photographs of any exhibit may be included in the volume of documentary exhibits. Under no circumstances should drugs, currency, or other dangerous or valuable items be included in appellate records.

**(e) Notification and Disposition.** In all cases, the Court shall provide actual notice, by mail or through the Jackson County Courthouse mailbox system, to all attorneys of record and to parties if unrepresented by counsel, that the evidence will be destroyed by a date certain if not retrieved before that date. Counsel and parties have the duty to keep the Court informed of their current addresses and notice to the last current address shall be sufficient. Court reporters should maintain a log of retained evidence and scheduled disposition date and evidence should be held in a secure area. At the time of removal, the party receiving and removing the evidence shall give a detailed receipt to the court reporter, and the receipt will be made part of the court file.

**(f) Disposal.** In all cases, the Court, or the sheriff on the Court's order, should dispose of evidence that is not retaken after notice.

**(g) Biologically Contaminated Evidence.** A party who offers biologically contaminated evidence must file a pretrial notice with the trial court and serve all the parties so that the Court can consider the issue and rule appropriately before trial. A party can show contaminated evidence or pass photographs of it to jurors, but no such evidence, however contained, shall be handled or passed to jurors or sent to the Jury Room unless specifically ordered by the Court.

#### **LR36-AR11-1: Paper and Filing Requirements**

See LR36-TR10-1

#### **LR36-AR12-1: Fax Filings Not Accepted**

The Courts of Jackson County do not accept facsimile filing unless prior authorization is obtained. Facsimile filing must be followed by mailing of an original document.

### **LR36-AR15-1: Compensation of Court Reporters**

**(a) Definitions.** The following definitions shall apply under this local rule:

(1) A ***Court Reporter*** is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.

(2) ***Equipment*** means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.

(3) ***Work space*** means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.

(4) ***Page*** means the page unit of transcript which results when a recording is transcribed in the form by Indiana Rule of Appellate Procedure 7.2.

(5) ***Recording*** means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.

(6) ***Regular hours worked*** means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.

(7) ***Gap hours worked*** means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per week.

(8) ***Overtime hours worked*** means those hours worked that are in excess of forty (40) hours per week.

(9) ***Work week*** means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

(10) ***Court*** means the particular court for which the court reporter performs services. Court may also mean all of the courts in Jackson County.

(11) ***County indigent transcript*** means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.

(12) ***State indigent transcript*** means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.

(13) ***Private transcript*** means a transcript, including but not limited to a deposition transcript that is paid for by a private party.

**(b) Salaries and Per Page Fees.**

(1) Court Reporters shall be paid an annual salary for time working under the control, direction and direct supervision of their supervising court during regular work hours, gap hours or overtime hours. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporters are to be compensated for gap and overtime hours; i.e. monetary compensation or compensatory time off regular work hours.

(2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$4.00; the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.

(3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$4.00.

(4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$4.00.

(5) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of county indigent, state indigent or private transcripts to the Indiana Supreme Court Division of State Court Administration.

(6) The reporting shall be made on forms prescribed by the Division of State Court Administration. All court transcript preparation work shall be preformed outside of regular working hours.

**(c) Private Practice.**

(1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, the court reporter shall not use any equipment owned by the court or any governmental entity.

(2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private work shall be conducted outside of regular working hours.

**LR36-AR16-1: Electronic Filing Not Accepted**

The Courts of Jackson County do not accept electronic filing.

**DE NOVO RULES**

**LR36-DN00-1: Security Guidelines**

**(a) Applicability.** All persons entering the Jackson Superior Courthouse consent to an inspection of their person, any package, briefcase, or purse.

**(b) Prohibitions.** All persons, except those persons noted in paragraph (D), are prohibited from entering the Jackson Superior Courthouse while carrying any of the following:

(1) A deadly weapon as defined by Indiana Code 35-41-1-8,

(2) A firearm as defined by Indiana Code 35-47-1-5,

(3) An electric stun weapon as defined by Indiana Code 35-47-8-1,

(4) A stun gun as defined by Indiana Code 35-47-8-2,

(5) A taser as defined by Indiana Code 35-47-8-3

(6) A knife,

(7) An explosive device,

(8) A club, or

(9) Any other material that, in the manner in which it is used, could ordinarily be used or is intended to be used and is readily capable of causing serious bodily injury (as defined by Indiana Code 35-41-1-25) as determined by any judicial or law enforcement officer.

**(c) Entrance Denied.** Any person refusing to comply with this Order will be denied entrance into the Superior Courthouse, and anyone knowingly violating this Order will be subject to contempt of Court pursuant to Indiana Code 34-47-3.

**(d) Exemption.** The following persons are exempt from this order:

(1) Law enforcement officers under Indiana Code 35-41-1-17, Indiana Department of Corrections Officers, Community Correction officers, Judicial Officers, and Probation Officers who are in the courthouse for official business and duly authorized to carry deadly weapons.

(2) Employees of the courthouse who carry chemical spray devices for personal protection are also exempt.

**(e) Exception to Exemption.** The persons described as exempt from this Order *shall not be exempt* if they or any member of their family is a party to any proceeding taking place in court.

**LR36-DN00-2: Jackson County Alcohol and Drug Court Services Program Fees**

Participants in the Jackson County Alcohol and Drug Court Services Program will be charged the following fees as applicable:

CASE MANAGEMENT FEE:	\$200.00
ADMINISTRATIVE FEE:	\$100.00
ASSESSMENT FEE:	\$100.00
CIRCUIT COURT REFERRAL FEE:	\$150.00
JUVENILE FEE:	\$50.00
TRANSFER FEE:	\$50.00
PROGRAM FEE FOR OUT OF COUNTY REFERRALS:	\$200.00
PRE-TRIAL DEVERSION FEE:	\$150.00

**FORM A**  
**CONSENT TO ALTERNATIVE SERVICE -“COURT BOX”**

1. **The undersigned**, as an individual practitioner or for and on behalf of the law firm below, hereby consents to service of any notice, pleading, process, order or other communication by deposit of the same in an assigned Court Box or “pigeon hole” to be maintained at each Court location by:
  - (a) the Jackson County Courts;
  - (b) the Jackson County Clerk; and
  - (c) Attorneys who and law firms which consent to alternative service.
2. **Each Court shall notify all other participants in that Court** of the filing or revocation of a Consent by depositing a copy in all other participant’s Court Boxes.
3. **“Deposit”** Effective upon filing, a Consent shall constitute and be accepted as 1<sup>st</sup> class mail under Trial Rule 6(E) to and among all other attorneys and firms who consented to participate in this system of alternative service. This Consent shall remain valid until revoked in writing.
4. **“Revocation”** A revocation will be effective fourteen (14) days after notice to the Court where filed.
5. **This Consent shall also apply** to any attorneys who become employees of, partners or associates with the undersigned law firm after the date of this consent.

***A consent must be filed with each Court in which the undersigned wishes to participate in alternative service. By his/her signature the undersigned agree(s) to notify the Jackson County Courts and the Jackson County Bar Association promptly of any changes in the list of attorneys designated in this Consent***

**DATED:** \_\_\_\_\_

\_\_\_\_\_  
Print Firm Name

\_\_\_\_\_  
Print Attorney, Managing or Senior Partner Name

X \_\_\_\_\_  
Sign Here

List of Attorneys in Law Firm Hereby Consenting:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____